

## § 95.422

## 47 CFR Ch. I (10–1–02 Edition)

Act, you may be fined up to \$10,000 or you may be imprisoned for one year, or both. (See section 501 of the Communications Act.)

[48 FR 24894, June 3, 1983, as amended at 57 FR 40343, Sept. 3, 1992]

### § 95.422 (CB Rule 22) How do I answer correspondence from the FCC?

(a) If it appears to the FCC that you have violated the Communications Act or these rules, the FCC may send you a discrepancy notice.

(b) Within the time period stated in the notice, you must answer with:

(1) A complete written statement about the apparent discrepancy;

(2) A complete written statement about any action you have taken to correct the apparent violation and to prevent it from happening again; and

(3) The name of the person operating at the time of the apparent violation.

(c) If the FCC sends you a letter asking you questions about your CB radio station or its operation, you must answer each of the questions with a complete written statement within the time period stated in the letter.

(d) You must not shorten your answer by references to other communications or notices.

(e) You must send your answer to the FCC office which sent you the notice.

(f) You must keep a copy of your answer in your station records. (See CB Rule 27, § 95.427.)

### § 95.423 (CB Rule 23) What must I do if the FCC tells me that my CB station is causing interference?

(a) If the FCC tells you that your CB station is causing interference for technical reasons you must follow all instructions in the official FCC notice. (This notice may require you to have technical adjustments made to your equipment.)

(b) You must comply with any restricted hours of CB station operation which may be included in the official notice.

### § 95.424 (CB Rule 24) How do I have my CB station transmitter serviced?

(a) You may adjust an antenna to your CB transmitter and you may make radio checks. (A radio check means a one way transmission for a

short time in order to test the transmitter.)

(b) You are responsible for the proper operation of the station at all times and are expected to provide for observations, servicing and maintenance as often as may be necessary to ensure proper operation. You must have all internal repairs or internal adjustments to your CB transmitter made in accordance with the Technical Regulations (see subpart E). The internal repairs or internal adjustments should be performed by or under the immediate supervision and responsibility of a person certified as technically qualified to perform transmitter maintenance and repair duties in the private land mobile services and fixed services by an organization or committee representative of users in those services.

(c) Except as provided in paragraph (d) of this section, each internal repair and each internal adjustment of a CB transmitter in which signals are transmitted must be made using a nonradiating (“dummy”) antenna.

(d) Brief test signals (signals not longer than one minute during any five minute period) using a radiating antenna may be transmitted in order to:

(1) Adjust an antenna to a transmitter;

(2) Detect or measure radiation of energy other than the intended signal; or

(3) Tune a receiver to your CB transmitter.

(Secs. 4(i) and 303(r), Communications Act of 1934, as amended, 47 U.S.C. 154(i) and 303(r), and sec. 553 of the Administrative Procedures Act, 5 U.S.C. 553)

[48 FR 24894, June 3, 1983, as amended at 49 FR 20673, May 16, 1984]

### § 95.425 (CB Rule 25) May I make any changes to my CB station transmitter?

(a) You must not make or have any one else make any internal modification to your CB transmitter.

(b) Internal modification does not include:

(1) Repair or servicing of a CB station transmitter (see CB Rule 24, § 95.424); or

(2) Changing plug-in modules which were certificated as part of your CB transmitter.

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(c) You must not operate a CB transmitter which has been modified by anyone in any way, including modification to operate on unauthorized frequencies or with illegal power. (See CB Rules 9 and 11, §§ 95.409 and 95.411.)

[48 FR 24894, June 3, 1983, as amended at 63 FR 36610, July 7, 1998]

### § 95.426 (CB Rule 26) Do I have to make my CB station available for inspection?

(a) If an authorized FCC representative requests to inspect your CB station, you must make your CB station and records available for inspection.

(b) A CB station includes all of the radio equipment you use.

### § 95.427 (CB Rule 27) What are my station records?

Your station records include the following documents, as applicable.

(a) A copy of each response to an FCC violation notice or an FCC letter. (See CB Rule 22, § 95.422.)

(b) Each written permission received from the FCC. (See CB Rule 19, § 95.419.)

### § 95.428 (CB Rule 28) How do I contact the FCC?

(a) FCC National Call Center at 1-888-225-5322.

(b) FCC World Wide Web homepage: <http://www.fcc.gov>.

(c) In writing, to FCC, Attention: CB, 1270 Fairfield Road, Gettysburg, PA 17325-7245.

[63 FR 68976, Dec. 14, 1998]

## Subpart E—Technical Regulations

SOURCE: 53 FR 36789, Sept. 22, 1988, unless otherwise noted.

### GENERAL PROVISIONS

#### § 95.601 Basis and purpose.

This section provides the technical standards to which each *transmitter* (apparatus that converts electrical energy received from a source into RF (radio frequency) energy capable of being radiated) used or intended to be used in a station authorized in any of the Personal Radio Services must comply. This section also provides requirements for obtaining certification for

such transmitters. The Personal Radio Services are the GMRS (General Mobile Radio Service)—subpart A, the Family Radio Service (FRS)—subpart B, the R/C (Radio Control Radio Service)—subpart C, the CB (Citizens Band Radio Service)—subpart D, the Low Power Radio Service (LPRS)—subpart G, the Wireless Medical Telemetry Service (WMTS)—subpart H, the Medical Implants Communication Service (MICS)—subpart I, and the Multi-Use Radio Service (MURS)—subpart J.

[61 FR 46566, Sept. 4, 1996, as amended at 63 FR 36610, July 7, 1998; 64 FR 69929, Dec. 15, 1999; 65 FR 44008, July 17, 2000; 65 FR 60877, Oct. 13, 2000]

#### § 95.603 Certification required.

(a) Each *GMRS transmitter* (a transmitter that operates or is intended to operate at a station authorized in the GMRS) must be certificated.

(b) Each *R/C transmitter* (a transmitter that operates or is intended to operate at a station authorized in the R/C) must be certificated, except one that transmits only in the 26–27 MHz frequency band and is *crystal controlled* (where the transmitted frequency is established by a *crystal* (a quartz piezoelectric element)).

(c) Each *CB transmitter* (a transmitter that operates or is intended to operate at a station authorized in the CB) must be certificated. No CB transmitter certificated pursuant to an application filed prior to September 10, 1976, shall be manufactured or marketed.

(d) Each FRS unit (a transmitter that operates or is intended to operate in the FRS) must be certified for use in the FRS in accordance with Subpart J of Part 2 of this chapter.

(e) Each Low Power Radio Service transmitter (a transmitter that operates or is intended to operate in the LPRS) must be certificated.

(f) Each Medical Implant Communications Service transmitter (a transmitter that operates or is intended to operate in the MICS) must be certificated except for medical implant transmitters that are not marketed for use in the United States, but which otherwise comply with the MICS technical requirements and are operated in the United States by individuals who have traveled to the United States